



## CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: ADOPT RESOLUTION TO JOIN WITH SAN JOAQUIN COUNTY IN THE  
CREATION OF AN ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY

MEETING DATE: April 18, 2001

PREPARED BY: Community Development Director

**RECOMMENDED ACTION:** That the City Council adopt a Resolution to join with San Joaquin County in the creation of an Abandoned Vehicle Abatement Service Authority to participate with the County in the development of a Joint Powers Agreement.

**BACKGROUND INFORMATION:** California Vehicle Code (CVC) section 22710 authorizes counties and cities located within those counties to create, through a Joint Powers Agreement, an Abandoned Vehicle Abatement Service Authority ("Service Authority"). The purpose of the Service Authority is to provide a reliable funding source for the removal and disposal of abandoned, wrecked, and dismantled vehicles located in the subject county. CVC section 9250.7 provides that the Service Authority may impose a fee of one dollar (\$1) on all vehicles registered to an owner with an address in the county which established the Service Authority. The fee is paid to the Department of Motor Vehicles at the time of registration. The State Controller allocates the funds collected to the Service Authority. The funds received by the Service Authority must then be apportioned as follows: Fifty percent (50%) of the funds apportioned among the member agencies based on the percentage of vehicles abated by that agency of the total number of abandoned vehicles abated by all member agencies; and fifty percent (50%) of the funds apportioned among member agencies based on population and geographic area, as determined by the Service Authority.

A Service Authority is established when approved by a two-thirds vote of the Board of Supervisors and approved by a majority of the cities having a majority of the incorporated population within the county. Because the City of Stockton contains the majority of the incorporated population, Stockton's participation is necessary to the establishment of a Service Authority in San Joaquin County. Thus, in order to form a Service Authority, in addition to the County and the City of Stockton, at least three other cities must participate. Providing that at least three other cities respond favorably to the establishment of the Service Authority, San Joaquin County staff will work with all interested cities to prepare a Joint Powers Agreement which will be brought back for approval before the Lodi City Council.

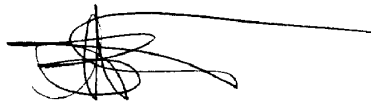
APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

The Community Improvement Division currently handles the abatement of abandoned and/or inoperable vehicles on private property. From January-December 2000, a total of 123 vehicles were tagged as inoperable, abandoned, wrecked or dismantled, and of those, 20 were actually towed. The remainder were either removed, were restored to service or are still eligible for tow. The increase in code enforcement staffing within the Community Improvement Division will result in an increase in the number of vehicles towed per year.

Currently, there is a \$100 Abatement Fee that is charged if a vehicle is towed, unless the property owner can attest to the fact that the vehicle was left at their property without their knowledge. At this point, it is unknown how the establishment of the Service Authority will affect our current Abatement Fee.

FUNDING: No Funding Required

A handwritten signature in black ink, appearing to read 'Konradt Bartlam', with a long horizontal line extending to the right.

Konradt Bartlam  
Community Development Director

Prepared by Joseph Wood, Community Improvement Manager

KB/jw

Attachment

cc: City Attorney

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LODI TO JOIN WITH SAN JOAQUIN COUNTY IN CREATION OF AN  
ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY

WHEREAS, Section 9250.7 and 22710 California Vehicle Code provides for the establishment of a Service Authority for abandoned vehicle abatement if the board of supervisors of the county and a majority of the cities within the county having a majority of the population adopt resolutions providing for the establishment of the authority; and

WHEREAS, San Joaquin County has requested that the City of Lodi join with the County to create such an Abandoned Vehicle Abatement Service Authority; and

WHEREAS, the city council of the City of Lodi finds that abandoned, inoperable, wrecked, dismantled vehicles or parts thereof pose a health and safety hazard and are found to be public nuisances; and

WHEREAS, the city council finds that an Abandoned Vehicle Abatement Program is needed to provide for the proper removal and disposal of abandoned vehicles and assist law enforcement and code enforcement personnel in abatement of abandoned vehicles; and

WHEREAS, the San Joaquin County Abandoned Vehicle Abatement Service Authority will have the responsibility for implementing an abandoned vehicles removal program in San Joaquin County; and

WHEREAS, the City of Lodi will participate in the development of a Joint Powers Agreement to implement this Abandoned Vehicle Abatement Service Authority;

NOW, THEREFORE, BE IT RESOLVED, that the city council of the City of Lodi as follows:

1. The City Council approves participation in the creation of an Abandoned Vehicle Abatement Service Authority with the County of San Joaquin, and;
2. Nominates (Mayor/Councilperson) as the City's designated representative to participate with the County in the development of a Joint Powers Agreement to implement an Abandoned Vehicle Abatement Service Authority within San Joaquin County.

APPROVED AND ADOPTED this                      day of                      , 2001

Necessary Signatories

RESOLUTION NO. 2001-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI  
TO JOIN WITH SAN JOAQUIN COUNTY IN CREATION OF AN  
ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY

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WHEREAS, Sections 9250.7 and 22710 of the California Vehicle Code provides for the establishment of a Service Authority for abandoned vehicle abatement if the Board of Supervisors of the County and a majority of the cities within the county having a majority of the population adopt resolutions providing for the establishment of the authority; and

WHEREAS, San Joaquin County has requested that the City of Lodi join with the County to create such an Abandoned Vehicle Abatement Service Authority; and

WHEREAS, the City Council of the City of Lodi finds that abandoned, inoperable, wrecked, dismantled vehicles or parts thereof pose a health and safety hazard and are found to be public nuisances; and

WHEREAS, the City Council finds that an Abandoned Vehicle Abatement Program is needed to provide for the proper removal and disposal of abandoned vehicles and assist law enforcement and code enforcement personnel in abatement of abandoned vehicles; and

WHEREAS, the San Joaquin County Abandoned Vehicle Abatement Service Authority will have the responsibility for implementing an Abandoned Vehicles Removal Program in San Joaquin County; and

WHEREAS, the City of Lodi will participate in the development of a Joint Powers Agreement to implement this Abandoned Vehicle Abatement Service Authority.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lodi as follows:

1. The City Council hereby approves participation in the creation of an Abandoned Vehicle Abatement Service Authority with the County of San Joaquin; and
2. The City Council hereby authorizes staff to participate with the County in the development of a Joint Powers Agreement to implement an Abandoned Vehicle Abatement Service Authority within San Joaquin County.

Dated: April 18, 2001

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I hereby certify that Resolution No. 2001-97 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 18, 2001, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard and Mayor Nakanishi

NOES: COUNCIL MEMBERS – Pennino

ABSENT: COUNCIL MEMBERS – Land

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk